REMARKS

I. Summary of the Final Office Action

Claims 1-56 are pending in the present application.

The Examiner objected to claims 1 and 28 because of various alleged informalities. Claims 1-56 were rejected as being obvious under 35 U.S.C. § 103(a) in view of various combinations of Gudjonsson et al. U.S. Patent No. 6,564,261 (hereinafter "Gudjonsson"), Bruno et al. U.S. Patent No. 6,020,915 (hereinafter "Bruno"), Bruno et al. U.S. Patent No. 5,784,561 (hereinafter, "Bruno II"), and Tang et al. U.S. Patent No. 5,793,365 (hereinafter "Tang").

II. Summary of Applicant's Reply

In this Response, applicant has amended claims 1-8 and 28-35 to more particularly define the invention and address the Examiner's objections and rejections. Support for the amendments to the claims can be found throughout the application. Amendments to the claims are being made solely to expedite prosecution and do not constitute an acquiescence to any of the Examiner's rejections. Applicant's silence with regard to the Examiner's rejections of the dependent claims constitutes a recognition by applicant that the rejections are moot based on applicant's remarks relative to the independent claim from which the dependent claims depend. Applicant reserves the option to further prosecution the same or similar claims in the present or a subsequent application. Upon entry of the Amendment, claims 1-56 are pending.

Reconsideration and prompt allowance of the present application is respectfully requested.

III.   The Objection of the Claims 1 and 28

The Examiner objected to claims 1 and 28 because of various informalities. For example, in independent claim 1, the Examiner requested that applicant correct the phrase "receive . . . from a client node" to state "receive . . . from one of the plurality of client nodes." In order to address the Examiner's concerns regarding claim 1 and 28 and expedite prosecution of this present application, applicant has amended independent claims 1 and 28 as suggested by the Examiner. In light of the amendments to claims 1 and 28, applicant respectfully requests that the Examiner withdraw the objections to claim 1 and 28.

IV.   The Rejection of the Claims Under 35 U.S.C. § 103(a)

Claims 1-56 were rejected as being obvious under 35 U.S.C. § 103 in view of various combinations of Gudjonsson, Bruno, Bruno II, and Tang. Of these claims, claims 1 and 28 are independent.

Applicant's amended independent claims 1 and 28 are directed to a system and a method that initiates and supports video conferences using instant messaging. Applicant wishes to point out that independent claims 1 and 28 have been amended to state that "the determined conference information includes a communication mode associated with each of the one or more invited client nodes of the plurality of client nodes" and that "the communication mode is embedded in the instant message such that each of the invited client nodes of the plurality of client nodes is automatically configured to join the video conference using the instant message." Support for these amendments is found, for example, in applicant's specification at paragraphs [0007] and [0008]. As explained in these paragraphs, "the instant message contains information used to identify the communication mode to be used by a participant in the video conference." "This information is used to set up the

video conference among the identified participants using each participant's preferred communication mode." "The information can then be used by the third server to set up the video conference using the appropriate communication modes associated with the identified participants."

As described in previous replies and as described by the Examiner, Gudjonsson discloses a network of server clusters, where messages are not sent directly between clients. Messages between clients are handed off serially from one server to the next using one or more intermediate routing services. As shown in FIG. 9 and described in the corresponding portion of Gudjonsson, a user is provided with the option to select a particular type of invitation, such as a voice chat, a text chat, or a phone call. In response to selecting a particular invitation, the "invitation is submitted to the receiving user's RS [routing service] that runs continuously on the receiving user's user server (US)." (Gudjonsson, column 13, lines 26-28.)

Unlike applicant's independent claims, the Gudjonsson system relies on the routing service, which "can end up doing two things: ignore the invitation or forward it to some other service that accepts the invitations of the given communications type. Services that accept invitations are called device handlers." (Gudjonsson, column 9, lines 35-38.) Clearly, the invitations of Gudjonsson are not embedded with communication mode and determined conference information such that each of the invited client nodes is automatically configured to join the video conference using the instant message. Instead, the initiating user of Gudjonsson selects the type of invitation, like a text chat, and the routing service attempts to find a device handler capable of accepting the invitation for the text chat. That is, the Gudjonsson system is not capable of automatically configuring each of the invited client nodes, which each have their own communication modes.

Similarly, the Bruno and Bruno II references cited by the Examiner do not show or suggest that "the communication mode is embedded in the instant message such that each of the invited

client nodes of the plurality of client nodes is automatically configured to join the video conference using the instant message."

The Meeting Reservation and Control System (MRCS) of Bruno manually provides a conference identifier to the originator. The MRCS does not communicate with any portion of the Bruno system to transit an instant message to the participants of the video conference. In fact, Bruno makes no mention of instant messages, but a user of the Bruno system can leave a message for another user at a multimedia messaging server. As described in Bruno, "a user at the first multimedia terminal can leave a multimedia message at the multimedia messaging server 152 for later retrieval by the user at the second multimedia terminal if, for example, that second terminal is busy or the user fails to answer the call." (Bruno, column 5, lines 12-16.) There is clearly no mention of embedding communication modes in the multimedia message of Bruno.

Bruno II describes an on-demand video conference system that also uses a Meeting Reservation and Control System (MRCS). Like Bruno, Bruno II also makes no mention of instant messages. At most, Bruno II describes using a voice response unit, which includes a voice recognition device that "translates the user's voice requests into messages recognizable by the meeting reservation control system 500 and translates messages from the meeting reservation control system 500 into voice." (Bruno II, column 3, lines 56-62.) Nowhere in Bruno II is it shown or suggested that "the communication mode is embedded in the instant message such that each of the invited client nodes of the plurality of client nodes is automatically configured to join the video conference using the instant message."

Based on the foregoing Remarks, applicant traverses the Examiner's rejection of independent claims 1 and 28.

Applicant's silence with regard to the Examiner's rejections of the dependent claims constitutes a recognition by the applicant that the rejections are moot based on applicant's remarks relative to the independent claims from which the dependent claims depend. Accordingly, applicant also respectfully submits that claims 2-27 and 29-54, each of which depends from one of independent claims 1 and 28, are allowable for at the same reasons that their corresponding independent claims are allowable.

Accordingly, applicant respectfully requests that the rejections of the claims be withdrawn.

V.   Deposit Account Authorization

The Director is hereby authorized to charge any fees that may be due, or to credit any

overpayment of the same, to Deposit Account No. 50-4207.

In the event that an extension of time is required, or which may be required in addition to

that requested in any petition for extension of time filed previously or herewith, the Director is

requested to grant a petition for that extension of time which is required to make this response

timely and is hereby authorized to charge any fee for such an extension of time or credit any

overpayment for an extension of time to Deposit Account No. 50-4207.

VI.   Conclusion

For at least the reasons set forth above, applicant respectfully submits that the present

application is in condition for allowance. Reconsideration and prompt allowance of the application

are respectfully requested.

                                        Respectfully submitted,

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